

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CAREMARK, INC. )  
 )  
 )  
v. ) No. 3:04-1112  
 ) JUDGE CAMPBELL  
DAVID GOETZ, et al. )  
 )  
 )  
v. )  
 )  
 )  
UNITED STATES OF AMERICA )

ORDER

Pending before the Court are Defendants' Motion For Summary Judgment (Docket No. 68), filed by the State of Tennessee Defendants; Caremark's Cross Motion For Summary Judgment (Docket No. 72); the United States' Motion for Summary Judgment Or, In The Alternative, To Dismiss Or Transfer (Docket No. 80); Motion for Leave to File Amicus Curiae Brief In Support Of The United States' Opposition To Caremark's Motion For Summary Judgment, filed by Janaki Ramadoss (Docket No. 94); and Motion For Leave To file Ramadoss' Reply To Caremark's Response In Opposition to Her Motion For Leave To File An Amicus Brief (Docket No. 105).

The Motion for Leave to File Amicus Curiae Brief In Support Of The United States' Opposition To Caremark's Motion For Summary Judgment, filed by Janaki Ramadoss (Docket No. 94); and Motion For Leave To file Ramadoss' Reply To Caremark's Response In Opposition to Her Motion For Leave To File An Amicus Brief (Docket No. 105) are GRANTED.

As the Court finds oral argument unnecessary, the Joint Motion For Hearing On The Parties' Cross Motions For Summary Judgment (attached to Docket No. 79) is DENIED.

For the reasons set forth in the accompanying Memorandum, Defendants' Motion For

Summary Judgment (Docket No. 68), filed by the State of Tennessee Defendants is GRANTED; Caremark's Cross Motion For Summary Judgment (Docket No. 72) is DENIED; and the United States' Motion for Summary Judgment Or, In The Alternative, To Dismiss Or Transfer (Docket No. 80) is GRANTED.

This Order shall constitute the judgment in this case pursuant to Fed. R. Civ. P. 58.

It is so ORDERED.

Todd Campbell  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE